

Appendix 7 – Cooperative Permitting Process

Participants in the Green Tier/Clear Waters Initiative Environmental Results Program Charter are eligible to receive WPDES construction site storm water permit coverage under a process intended to consolidate and expedite permit coverage. This process is not the same as the Authorized Local Program described in NR 216.415, Wis. Adm. Code. Rather, the process is specific to GTCWI efforts and applies only to members of the charter. Outside of the scope of the charter, members can pursue an Authorized Local Program if desired. The **Cooperative Permitting Process (CPP)** shall be implemented as follows:

1. A Notice of Intent application required under Subchapter III of NR 216 Wis. Adm. Code shall be submitted to the municipality and the Department at least 14 working days prior to commencing land disturbing construction activities. An alternative to the Department's Notice of Intent application may be accepted by the municipality if the form is first approved as being equivalent to the Department Notice of Intent.
2. An application submitted to a municipality under the CPP process shall include the appropriate application fee specified under NR 216.43(2) Wis. Adm. Code. Transfer of fees, along with a log of sites and respective acreage of disturbed area, from the municipality to the Department shall occur monthly for sites with applications submitted as part of the CPP.
3. Department staff will enter required information from the applications into its database to fulfill public notice obligations.
4. Department staff will perform screening of applications for presence of threatened and endangered resources (NHI: Natural Heritage Inventory) as well as archaeological and cultural resources (SHPO: State Historic Preservation Office). Department staff will work with municipal staff to resolve any "hits" that may arise. Screenings for NHI and SHPO will be conducted by Department staff until such time that there are processes in place for municipalities to conduct the screenings independently. Municipal staff will screen application for water resources including wetlands. If the proposed project involves work in or around a wetland or navigable water, a separate permit through the Water Regulation and Zoning program may need to be obtained.
5. After municipal staff have reviewed the application, have received notice from DNR that all endangered resource and archaeological/cultural resource issues have been addressed, and have deemed the application and associated documents as meeting the requirements of NR 216 and NR 151, an e-mail shall be sent to Department staff requesting that the Department confer permit coverage. For those projects that are eligible for the Cooperative Permitting Process and comply with the process outlined above, a letter of coverage conferred by the municipality shall be considered equivalent to a Department issued coverage letter.

Documentation of permit coverage (certificate or letter from municipality) shall be posted in a visible location at the construction site.

6. When the project is complete the municipality will notify the Department that all work has been finalized in a satisfactory manner. The Department will terminate the permit in the database after such notice is received.
7. The Department will retain enforcement authority on any project permitted through this process, although efforts will be made to achieve compliance by working with the permitting municipality. The Department is ultimately responsible for the CPP processing meeting the requirements of the Federal Clean Water Act.
8. The CPP process shall periodically be reviewed under the procedures of the charter and adjusted as necessary.